INRMP Development at Army National Guard (ARNG) Installations

(with focus on Fort Indiantown Gap, PA)

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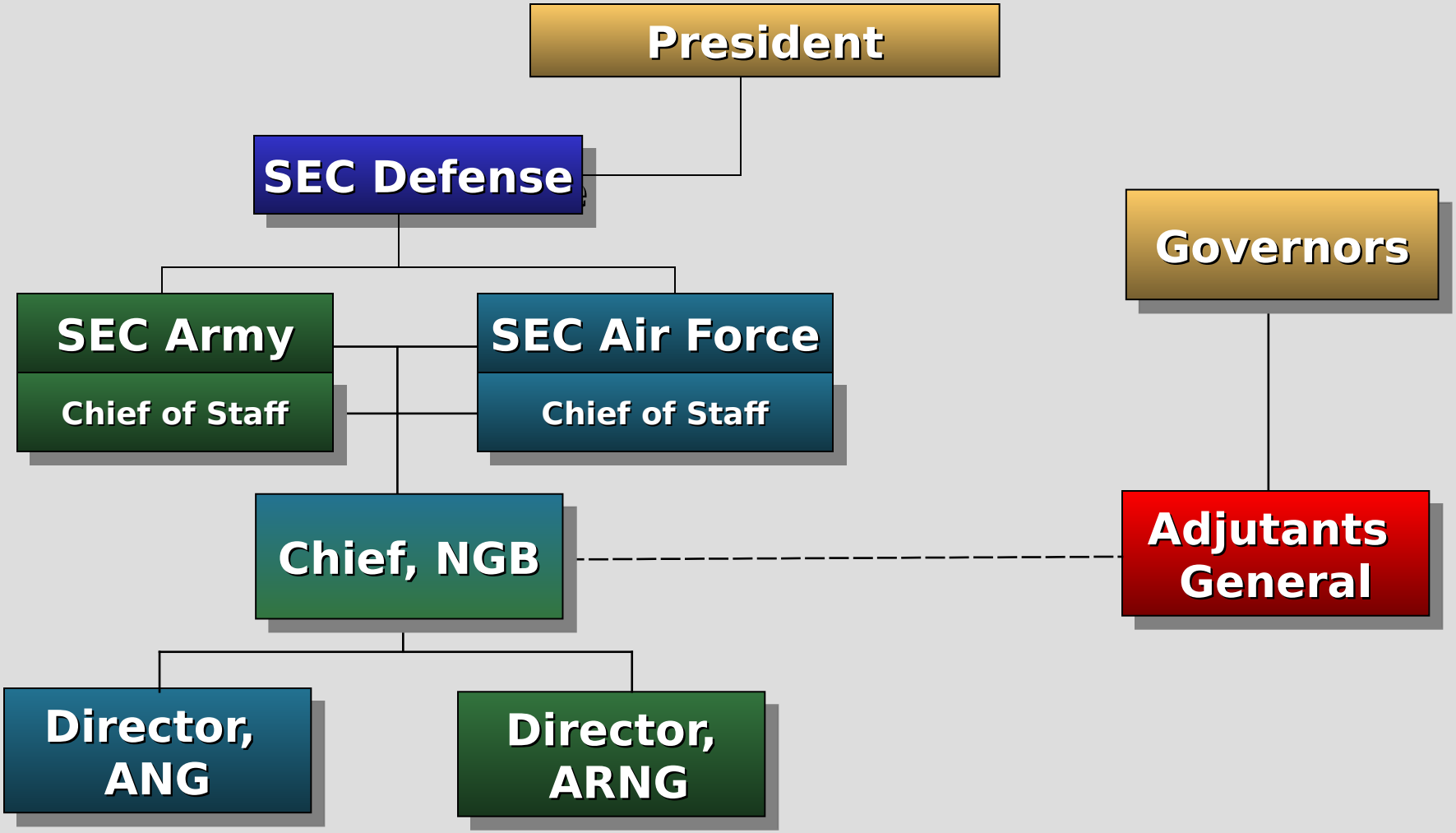
SIKES ACT COORDINATION WORKSHOP

ARNG
ENVIRONMENTAL
PROGRAMS



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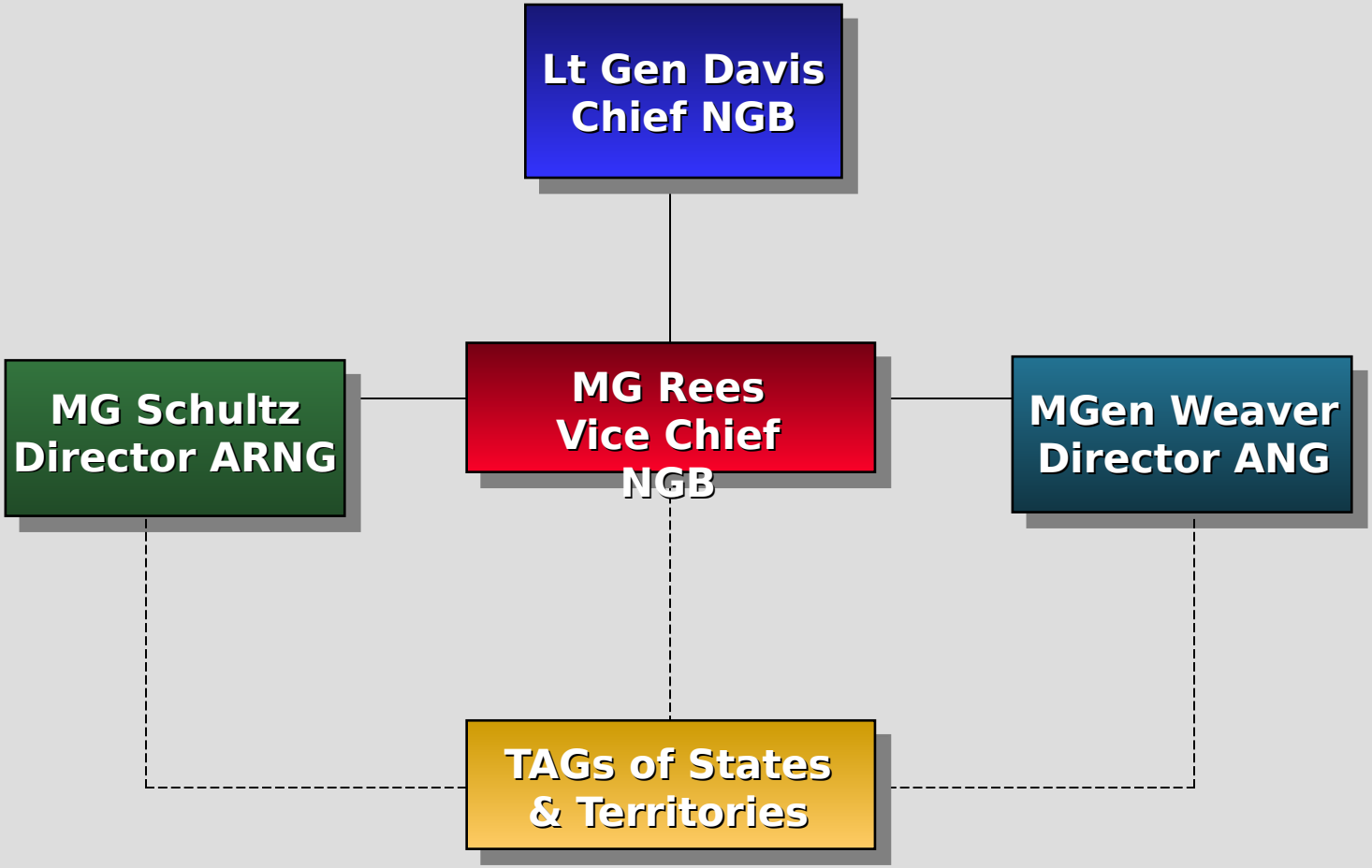

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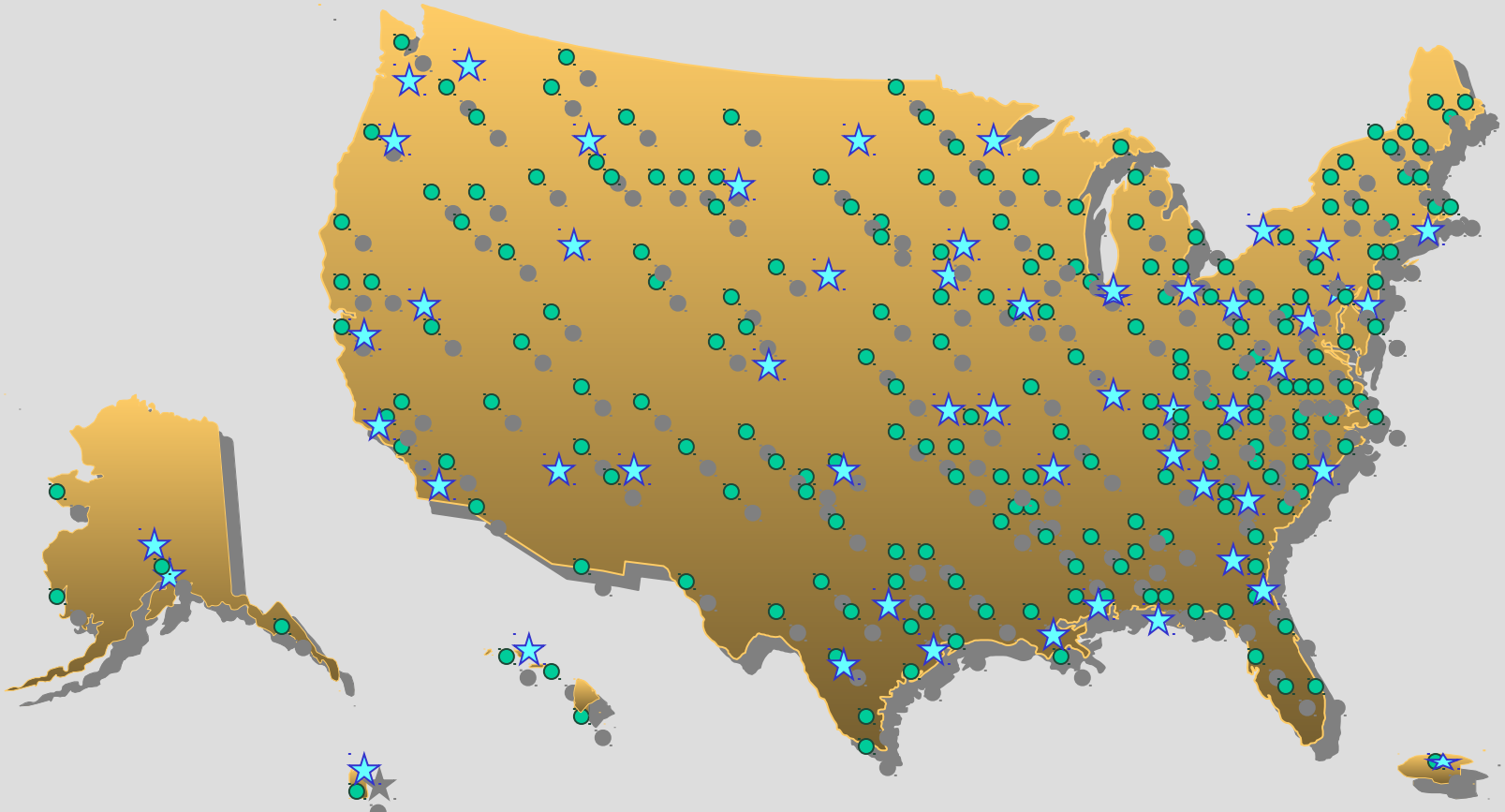
ARNG ENVIRONMENTAL PROGRAMS

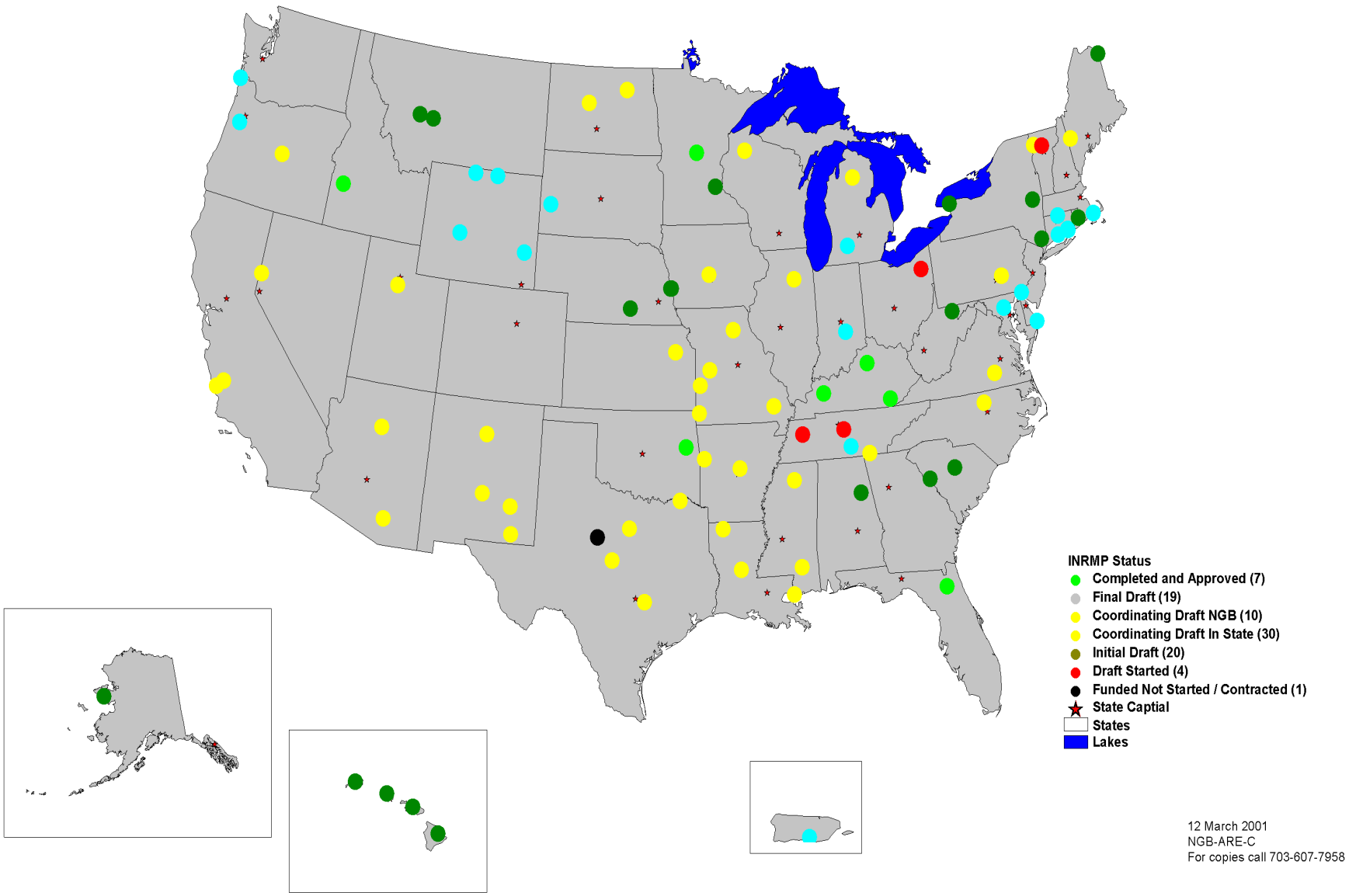


3200 ARNG Facilities, 88 ANG Bases, 2700 Commun

MISSION

"The National Guard has a unique dual-mission that consists of both Federal and State roles. Although the force's primary mission is to serve as a federal reserve force, the Guard has an equally important role in support of the states. Until mobilized in support of a federal mission, Guard units are commanded by their state executive (usually the Governor). In this capacity, they complete required training and serve as the first military responders within states during

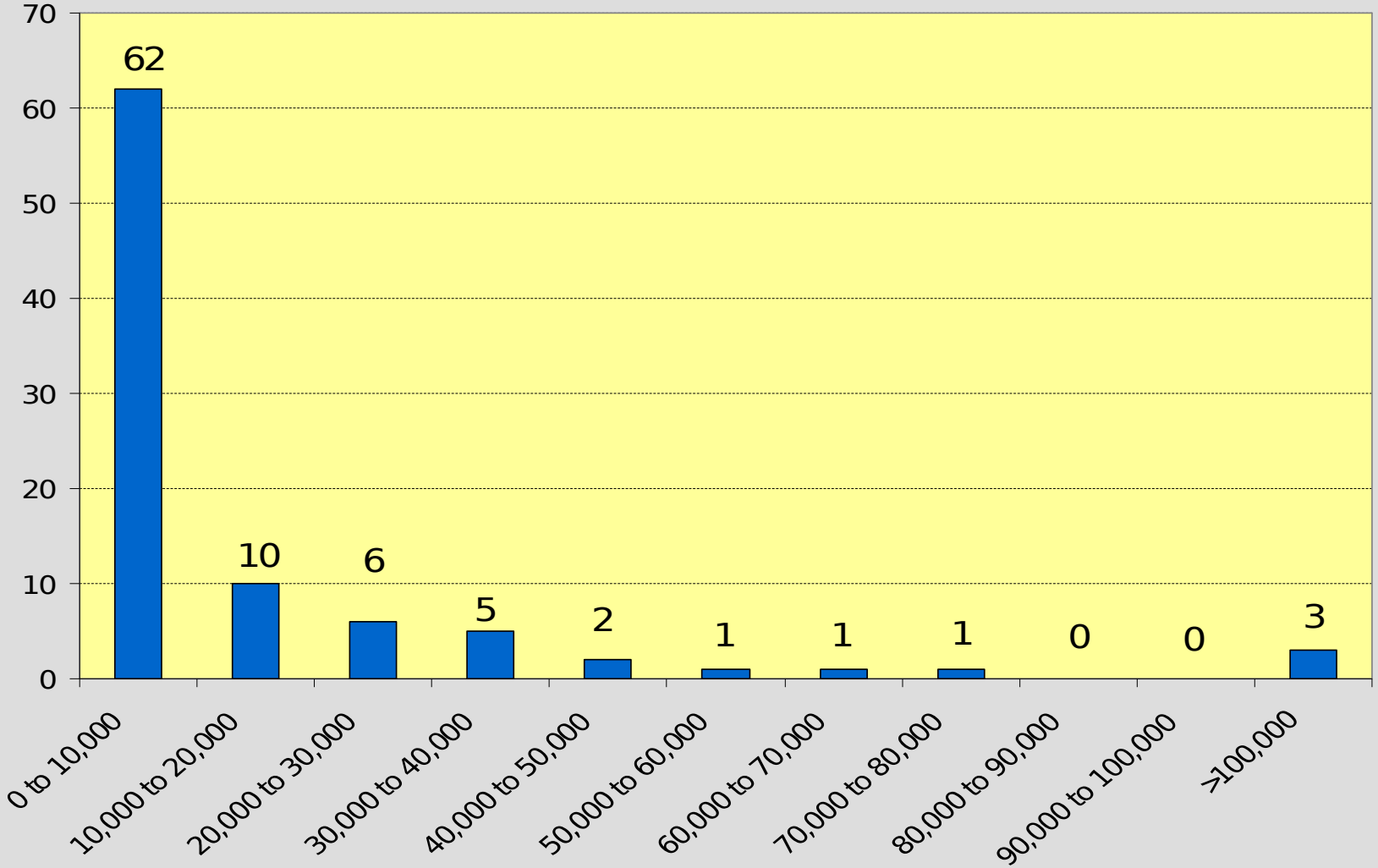
ARNG INRMP Status



More about ARNG Installations w/INRMPs

- Size from 140,000 acres to less than 50 acres in size
  - average ~14K acres; median ~3,600 acres; total ~1.3 million acres
- Significant natural resources
  - ~56 federal TES and/or CH & countless state-listed species
  - > 70,000 acres of wetlands
  - diversity of ecosystems - tropics to forests to grasslands to tundra
- Larger sites commanded by Colonel or Lt. Colonel
  - w/ full-time staff on site (conservation personnel are typically federally-reimbursed state employees)
- Smaller sites often managed by State ARNG HQ (usually located near State capital)

ARNG INRMP SITES BY ACREAGE CATEGOR



ARNG Installations requiring INRMPs

Fall into a variety of real property categories:

- Fed land (U.S. Army), licensed to State NG
- State land, Leased to Army, Licensed to State NG
- Fed land withdrawn for NG control/use
- Fed land (non-DoD), permit/lease to State NG

EXAMPLE ARNG INRMP TIMELINE

EVENT	DAYS FROM START
Project begins	0
Develop internal draft INRMP/EA **(24Oct00)**	1 to 120
State ARNG review internal draft INRMP/EA **(21Feb01)**	121 to 165
Edit internal draft INRMP/EA; Complete Preliminary Draft **(07Apr01)**	166 to 180
Submit preliminary draft INRMP/EA to cooperators and NGB **(22Apr01)**	181 to 185
Cooperators & NGB review preliminary draft INRMP/EA **(27Apr01)**	186 to 230
Edit preliminary draft INRMP/EA; Complete draft INRMP/EA **(09Jun01)**	231 to 245
Draft INRMP/EA available for 30-day Public Review Period **(24Jun01)**	246 to 275
Prepare internal final INRMP/EA & preliminary draft FNSI **(24Jul01)**	276 to 290
Staff internal final INRMP/EA & preliminary draft FNSI within state ARNG	291 to 300

Pennsylvania
Legend
State Capital
Major Cities
Armories
Interstate Hwy System
Installations
Lakes/Rivers
State Boundary
Erie
Scranton
Fort Indiantown Gap
Bethlehem
Pittsburgh
Altoona
Reading
Harrisburg
Levittown
Lancaster
Philadelphia

FORT INDIANTOWN GAP (FTIG)

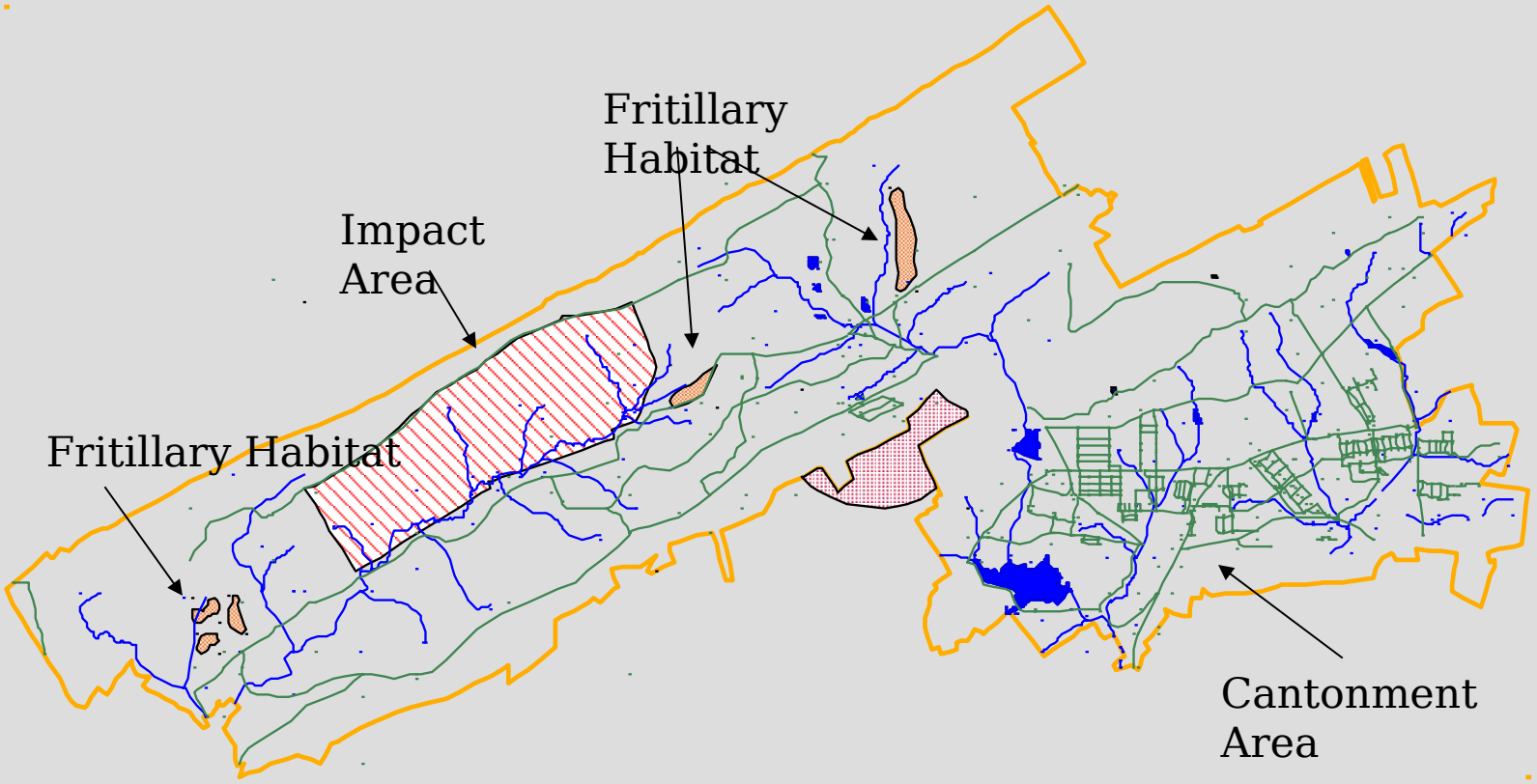
- History of Operation/Control of Military Post:
  - originally acquired by State of PA in 1930s for NG training
  - leased to U.S. Army 1940-46 & 1950 to present as active duty post
  - U.S. Army responsibility transfers to NGB in 1998 per BRAC; license issued to State ARNG to operate/control installation
- Size = 17,100 acres
- HQ of PA National Guard located on post
- HQ of 28th Infantry Division also on post (scheduled for Bosnia deployment in fall ‘01)
- Usage:
  - FY98 = 419K Man-Days; FY99 = 518K Man-Days
  - forecasted to average 450K Man-Days/Year over next five years

FORT INDIANTOWN GAP (FTIG)

Litigation and aftermath:

- Mar ‘98: North American Butterfly Association (NABA) sues DA, NGB and PAARNG charging NEPA “segmentation” and destruction of habitat of Regal fritillary (a butterfly)
- Apr/May ‘98: Defendants agree to prepare post-wide EIS
- May/Jun ‘01: draft EIS expected to go to public; addresses 11 actions (42 projects) including proposed INRMP

FORT INDIANTOWN GAP



REGAL FRITILLARY ISSUES AT FTIG

- Species is G3/S1 in PA; Federal “Species of Concern”
- FTIG hosts last known viable population east of MS River
  - habitat is 250 to 500 acres of “old field” grasslands
- TNC staff on-site since mid-1990s (w/ 3 full-time now)
  - MOU between TNC & PAARNG in ‘99 for temporary set-aside of 158 ac of habitat
- Candidate Conservation Agreement (CCA)
  - USFWS recommends a CCA in ‘98
  - PAARNG agrees in ‘00 but requests a CCA w/Assurances (CCAA)
  - CCAA now drafted (meeting scheduled 10 Apr 01 to move towards completion)

USFWS/PAARNG "COOPERATION" AT FTIG

- Could be defined as "strained" or "tenuous"
  - Factors influencing relationship? trust (or distrust); mutual understanding/respect of other agency's missions; communication & information-sharing
- Why is it so important?
  - Sikes Act mandates "cooperation" to produce a legally defendable INRMP (and corresponding natural resources program)
  - producing an INRMP that achieves "mutual agreement" made dependent upon a CCA or CCAA for one species
  - finishing the post-wide EIS (and signing a ROD) is partially dependent on amicable resolution of CCA and INRMP
  - without visible "cooperation" and "agreement" between the two agencies, plaintiffs may be emboldened to take Army back to court

GENERAL COOPERATION ON ARNG INRMPs

- Trends:
  - many cooperators unfamiliar w/ Sikes Act (despite SAIA of 1997)
  - many installations finding level of cooperation from local USFWS and state fish & wildlife agency to be less active than had been anticipated would occur as result of SAIA of 1997
  - most could be categorized as “Fair” to “Outstanding” - timely reviews, cordial relationships, thoughtful input
- Anomalies:
  - one instance of focus on issue not normally considered to fall within the purview of an INRMP or the Sikes Act (i.e., range contamination issues)
  - few inexplicable, lengthy delays in providing responses to official requests for review and feedback

RECOMMENDATIONS TO WORKSHOP PARTICIPANTS

- Avoid mandating a rigid rules-of-engagement at this late date (e.g., 8 months left on the clock)
- Reiterate throughout the agencies that “cooperation” must occur to comply with Congressional intent in SAIA.
- Allow the greatest flexibility for local officials to determine how active the cooperate should be
- Push the responsibility for “cooperation” to the lowest level possible within the agency (e.g., Field Office level for USFWS)